

09/655,074

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	NAKA, et al.	Examiner:	ALEXANDER
Serial No.:	09/655,074	Group Art Unit:	1743
Filed:	September 5, 2000	Docket No.:	10873.164USC2
Allowed:	August 26, 2005	Confirmation No.:	8424
Title:	Device And Method For Analyzing A Sample		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 13, 2005.

By: 

Name: Antonette Peters

COMMUNICATION REGARDING PRIORITY CLAIM

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Pertaining to the above-referenced patent application, Applicants respectfully assert that certified copies of the priority documents were filed in the parent application Serial No. 08/847,745, filed April 22, 1997. Attached is page 4 of the Office Action mailed, October 29, 1997, in the parent application that officially acknowledged receipt of the priority documents JP 8-107310, filed April 26, 1996 and JP 8-236131, filed September 6, 1996. However, neither the Office actions nor the Notice of Allowance in the above-mentioned application acknowledged such receipt of the priority documents.

It is requested that Supplemental Notice of Allowance be issued and returned to the undersigned reflecting the priority acknowledgement. Applicant also requests that this information be printed on the published application.



Dated: September 13, 2005

DPM/acp

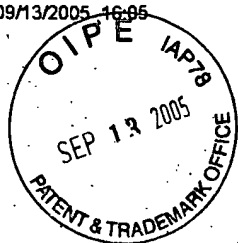
Respectfully submitted,

HAMRE, SCHUMANN, MUELLER,  
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By: 

Douglas P. Mueller  
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**HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.**  
AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

**FAX TRANSMISSION**      September 13, 2005

**TO:** Mail Stop: ISSUE FEE  
Examiner: ALEXANDER  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**FROM:** Douglas P. Mueller

**OUR REF:** 10873.0164USC2

**TELEPHONE:** (612) 455.3800

Total pages, including cover letter:      20

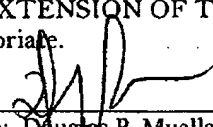
**PTO FAX NUMBER:** 571.273.2885

If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.

**Title of Document:**      **Communication Regarding Priority Claim; Communication  
Regarding Form 1449; Form 1449- mailed September 5, 2000 (2  
pages); Form 1449- mailed June 5, 2001; JP 8-248026**


**Applicant:**      NAKA et al.  
**Serial No.:**      09/655074  
**App. Filed:**      September 5, 2000  
**Group Art No.:** 1743  
**Conf. No.:**      8424

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

**By:**   
**Name:** Douglas P. Mueller  
**Reg. No.:** 30,300

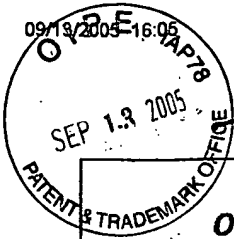
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Antonette C. Peters

  
Signature

Sept 13 2005  
Date

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**Office Action Summary**

Application No. <b>08/847,745</b>	Applicant(s) <b>Naka et al.</b>
Examiner <b>Lyle A. Alexander</b>	Group Art Unit <b>1313</b>

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

- ☒ Claim(s) 1-27 is/are pending in the application.
- Of the above, claim(s) 19-27 is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-18 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

**Application Papers**

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —